

DEPARTMENT OF BUILDING AND DEVELOPMENT
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: September 17, 2009

CASE NUMBER/CASE NAME: ZOAM 2009-0002

***Zoning Ordinance Amendment to Restrict the Parking of Vehicles on Unpaved Surfaces
and Limit Paved Parking Surface Areas Within Yards in Certain Residential
and Planned Development Housing Zoning Districts***

DECISION DEADLINE: NONE

ELECTION DISTRICT: Countywide

**PROJECT PLANNER: Rory Toth
Mark Stultz**

EXECUTIVE SUMMARY

On July 21, 2009, the Board of Supervisors adopted a Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance) and Facilities Standards Manual (FSM), as necessary, in order to restrict the practice of parking of vehicles in yards, on unpaved surfaces, and limit the amount of paved parking surface permitted in yards. The Amendment would apply to single family detached dwellings on lots in the R-1, R-2, R-3, R-4 and R-8 Residential Zoning Districts and the portions of the Planned Development-Housing (PD-H) Zoning District that are administered as an R-1, R-2, R-3, R-4 and R-8 Zoning District. The amendment proposes to incorporate the new regulations into Section 5-800 of the Zoning Ordinance, *Limitations on Vehicles in Residential Districts*.

I. BACKGROUND

In some of Loudoun County's communities, especially in areas of the County without active Home Owners Associations, citizens have frequently cited the decline in the appearance of neighborhoods and the decline in the conditions of homes when identifying "quality of life" issues. In particular, citizens have expressed a growing concern regarding the number of vehicles parked within front yards on paved and unpaved surfaces, the significant portion of front yards that are paved, and the storage of inoperable vehicles. Citizens also expressed a fear that this issue, along with other "quality of life" issues, may detract from the safety and order of the neighborhood, adversely affect the value of homes within the area, and encourage disinvestment and blight. This was a common concern cited during the Potomac/Sterling Outreach Project, conducted from February through October of 2008. In providing input on how to address this issue, citizens suggested restricting the parking of vehicles in front yards.

At the June 17, 2008 Business Meeting, the Board of Supervisors directed staff to prepare a Resolution of Intent to Amend the Zoning Ordinance and the Facilities Standards Manual (FSM), as necessary, to restrict the practice of the parking of vehicles on unpaved surfaces in yards and to limit paved parking areas to a percentage of the total yard area in the Suburban Residential and Planned Development-Housing Zoning Districts. The Board of Supervisors approved the Resolution of Intent to Amend on July 21, 2009. (Attachment 2)

Pursuant to Chairman York's direction at the June 17, 2008 Board of Supervisors' meeting, Staff used the "Off-Street Parking" regulations stated in Section 11-102.8 of the Fairfax County, Virginia Zoning Ordinance as a model. A copy of the June 17, 2008 Board of Supervisors' Action Item and the relevant language from the Fairfax County Zoning Ordinance, with the revisions suggested by Chairman York, are included as Attachment 2. In addition, Staff also researched and reviewed the regulations of other local jurisdictions that have restricted the parking of vehicles on unpaved surfaces and the paving of front yards, in order to identify other options that the Planning Commission may wish to consider. Staff has included such relevant zoning ordinance language from other neighboring jurisdictions as Attachment 3.

II. SUMMARY OF PROPOSED TEXT CHANGES

The following is a brief description of the Amendment to the Zoning Ordinance. Attachment 1 includes the proposed draft text, showing the specific revisions.

Revise Section 5-800 Limitations on Vehicles in Residential Districts.

Proposed Section 5-800(D) includes regulations that would apply to single family detached dwellings on lots within the R-1, R-2, R-3, R-4 and R-8 Residential Zoning Districts, and the portions of the Planned Development-Housing (PD-H) Zoning Districts that are administered as an R-1, R-2, R-3, R-4 and R-8 Zoning District. These regulations would: 1) prohibit the parking of vehicles on unpaved surfaces in any yard, with exceptions for certain temporary parking; and 2) limit the maximum amount of paved parking surface in front yards to 25 percent of the front yard in the R-1 and R-2 Zoning Districts, 30 percent of the front yard in the R-3 and R-4 Zoning Districts, and 40 percent of the front yard in the R-8 Zoning District, with corresponding limitations for any portion of a PD-H Zoning District that is administered as an R-1 or R-2, R-3 or R-4, or R-8 Zoning District. The proposed regulations would also specify certain circumstances under which the maximum amount of paved parking surface could be exceeded, define the term "paved parking surface," and authorize the Zoning Administrator to modify these regulations under certain circumstances.

III. DISCUSSION POINTS / ISSUES

- A. **Required Yards Versus Yards:** It is important to note that the Zoning Ordinance makes a distinction between a "required yard" and a "yard". The proposed amendments to Section 5-800 are intended to apply to an entire yard, as defined in Article 8 of the Zoning Ordinance - and not solely to the minimum yard required for the zoning district. Staff has included the various "Yard" definitions in Article 8 of the Zoning Ordinance as Attachment 4 for reference.

- B. Determining the Amount of Paved Parking Surface Permitted:** In considering the maximum percentage of paved parking surface to permit within a front yard in the R-1, R-2, R-3, R-4, R-8 and PD-H Zoning Districts, Staff developed a chart to evaluate the minimum required lot size, minimum required lot width and the minimum required front yard for conventional single family detached (SFD) lots in the respective residential zoning districts (Attachment 5). This chart provides an analysis of the options for limiting the amount of paved parking surface in front yards while still providing for the minimum three (3) off-street parking spaces required for SFD lots under Section 5-1100 of the Zoning Ordinance, and permitting a driveway in accordance with the FSM. In order to meet the minimum three (3) required off-street parking spaces, the chart uses the assumptions that the front yard would contain 2 side by side parking spaces (9' x 18') within a 20' wide driveway, that a 9' x 18' turnaround space would be used, and that a 1-car garage would be used.
- C. Existing Paved Surfaces:** Where existing paved parking surfaces exceed the maximum percentages permitted by the new regulations, such paved surfaces would be allowed to remain.
- D. Minimum Lot Size:** It is noted that the Fairfax County Zoning Ordinance specifies that their paving and parking regulations apply only to single family detached dwellings on lots that are 36,000 square feet or less (and in certain zoning districts). This proposed amendment is currently written to apply to all single family detached lots in the specified zoning districts, regardless of lot size. Staff is concerned that if the regulations apply only to lots that are less than a certain size, and a single subdivision contains a number of lots that are above the specified lot size and a number of lots that are below the specified lot size, it would result in the regulations not being applied uniformly within a single subdivision. Section 15.2-2282 of the Code of Virginia requires that all zoning regulations be uniform for each class of buildings and uses throughout each district.
- E. Administration and Enforcement:** If adopted, Staff anticipates that these new regulations would be reviewed for compliance at the time of zoning and occupancy permit issuance for new home construction. Staff anticipates that the enforcement of these regulations would be initiated by zoning violation complaints.

IV. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1211(D) of the Zoning Ordinance states " ... for an amendment of the text of this Ordinance, the Planning Commission shall consider the following matters ... ":

Standard *Whether the proposed text amendment is consistent with the Comprehensive Plan.*

Analysis The Revised General Plan provides the basis for evaluating land development proposals, is the foundation for amendments to the Zoning and Subdivision ordinances, and ensures that the County's goals are implemented through the regulatory process. This proposed Amendment would implement the

Comprehensive Plan's policies for guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory which, in accordance with present and probable future needs and resources, will best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, and would also provide guidance for future development decisions.

This Amendment is found to be consistent with the Comprehensive Plan.

Standard *Whether the proposed text amendment is consistent with the intent and purpose of this Ordinance.*

Analysis The intent of this Ordinance is defined under Section 1-102, which states: "*This Ordinance is enacted in order to promote the health, safety and welfare of the residents of Loudoun County and to implement the Loudoun County Comprehensive Plan*". Subsection (A), further states that the Ordinance is designed to "*Guide and regulate the orderly growth, development and redevelopment of Loudoun County in accordance with a well-considered plan and with long-term objectives, principles and standards deemed beneficial to the interest and welfare of the people.*" In addition, respectively, Subsections (G) and (I) state that the Ordinance is designed to "*Expedite the provision of adequate police and fire protection, safety from crime, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements*" and "*protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health, or property from fire, flood, panic or other dangers.*"

This Amendment is found to be consistent with the intent and purpose of the Zoning Ordinance.

V. RECOMMENDED TEXT

Attachment 1 includes the proposed draft regulation, dated August 25, 2009.

VI. STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward ZOAM-2009-0002 to the Board of Supervisors with the recommendation of approval.

VII. SUGGESTED MOTIONS

- A. I move that the Planning Commission forward ZOAM 2009-0002, to amend Section 5-800 of the Revised 1993 Loudoun County Zoning Ordinance to include new regulations that would restrict the parking of vehicles on unpaved surfaces in yards and limit paved parking surfaces in front yards, within the R-1, R-2, R-3, R-4, R-8 and PD-H zoning districts, as shown in Attachment 1, to the Planning Commission Committee of the Whole for further discussion and to address outstanding issues.

Or

- B. I move that the Planning Commission forward ZOAM 2009-0002, to amend Section 5-800 of the Revised 1993 Loudoun County Zoning Ordinance to include new regulations that would restrict the parking of vehicles on unpaved surfaces in yards and limit paved parking surfaces in front yards, within the R-1, R-2, R-3, R-4, R-8 and PD-H zoning districts, as shown in Attachment 1, to the Board of Supervisors with a recommendation for approval.

Or

- C. I move an alternative motion

VIII. ATTACHMENTS

Number	Description	Pages
1.	Proposed Text for Section 5-800, Limitations on Vehicles in Residential Districts, dated August 25, 2009.	A1-1 - A1-2
2.	BOS Action Item and Resolution of Intent to Amend dated July 21, 2009	A2-1 - A2-15
3.	Zoning Ordinance Regulations from Neighboring Jurisdictions Regarding Parking and Paving Within Yards.	A3-1 - A3-11
4.	Zoning Ordinance Article 8 Definitions of Yards	A4-1
5.	Zoning District Comparison Chart	A5-1

Section 5-800

Limitations on Vehicles in Residential Districts.

- (A) **Major Recreational Equipment.** No major recreational equipment or any container constructed for the transportation or storage of such equipment shall be parked or stored on any road, lot, or dedicated open space in a residential district except in a car port or enclosed building or behind the nearest portion of a building to a street, provided, however, that such equipment may be parked anywhere on residential premises for a period not to exceed 24 hours. No such equipment shall be used for living, sleeping, or housekeeping purposes.
- (B) **Commercial Vehicles.** The parking or storage of a commercial vehicle, or a container constructed for the transportation of cargo is prohibited in all residential districts, except that one (1) commercial vehicle with a manufacturer's rating of less than 1-1/2 tons may be parked on any lot on which there is located a principal building, provided that such vehicle is parked in an enclosed garage, accessory building, approved off-street parking area or behind the nearest portion of buildings to streets and is used by a resident of the premises. This regulation shall not be interpreted to prohibit commercial vehicles or containers from loading and unloading in any residential district.
- (C) **Inoperable Vehicles.**
- (1) No repair, maintenance or restoration of motor vehicles is permitted on any residential lot or common area serving such lot located within any urban residential zoning district, as defined in Article 3 of this Ordinance, unless the vehicle is owned by and registered in the name of an occupant of the dwelling constituting the principal use for such lot.
- (2) No inoperable vehicle shall be parked or stored outside a building for more than one (1) week on a lot of less than ten (10) acres in area in any residential district. Not more than one (1) inoperable vehicle may be parked outdoors at a time on any lot greater than ten (10) acres in area in any residential district. Any vehicle not displaying current license plates and inspection validation certificate as required by Virginia law shall be construed as an inoperable vehicle. Not more than one (1) inoperable item of major recreational equipment shall be parked outdoors on any lot of less than ten (10) acres in area in any residential district.

(D) Limitations on Parking and Paved Parking Surfaces Within Residential Yards.

The following requirements shall apply to single family detached dwellings on lots in the R-1, R-2, R-3, R-4, and R-8 Zoning Districts and the portions of PD-H Zoning Districts that are administered as the R-1, R-2, R-3, R-4, and R-8 Zoning Districts.

- 1 (1) All parking for vehicles in any yard shall be on a paved parking
2 surface, provided, however, that this shall not be deemed to
3 preclude temporary parking on an unpaved surface in a yard for a
4 period not to exceed forty-eight (48) hours for loading,
5 unloading, cleaning or repair of vehicles.
- 6 (2) The maximum amount of paved parking surface in a front yard
7 shall not exceed twenty-five (25) percent of the front yard area in
8 the R-1 and R-2 Zoning Districts; thirty (30) percent of the front
9 yard area in the R-3 and R-4 Zoning Districts; and forty (40)
10 percent of the front yard area in the R-8 Zoning District. These
11 limitations may be exceeded for a paved surface that is:
- 12 (a) Directly contiguous with, and providing primary access
13 to, two (2) side-by-side parking spaces as long as the
14 dimensions of the paved surface access area are not more
15 than twenty-five (25) feet long and eighteen (18) feet
16 wide; or
- 17 (b) Located on a lot which has its primary access from a
18 collector or arterial road, and comprises two (2) side-by-
19 side parking spaces and a vehicular turn-around area, as
20 long as the dimensions of the paved surface area are not
21 more than twenty-five (25) feet long and eighteen (18)
22 feet wide, and the area of the turn-around does not exceed
23 162 square feet; or
- 24 (c) A driveway on a pipestem lot.
- 25 (3) For the purposes of this Section, "paved parking surface" shall
26 mean the area of a lot that is used for the parking of vehicles,
27 inclusive of the driveway for accessing such parking, that is
28 surfaced with asphalt, poured or precast concrete, brick, stone,
29 gravel, or any other impervious surface, or grasscrete or other
30 similar pervious surface.
- 31 (4) The Zoning Administrator may modify the requirements of
32 Section 5-800(D) if an applicant can demonstrate that the
33 requirements of this Section cannot be met, while meeting the
34 amount of parking required by Section 5-1100, because of (a) the
35 exceptional size and/or shape of the lot; (b) environmental or
36 engineering constraints on the lot; (c) special accessibility needs;
37 or (d) other extraordinary situations or conditions of the lot. The
38 Zoning Administrator may attach conditions to any modification
39 to ensure that the results of the modification will be in
40 accordance with the purpose and intent of this Section.

#17

Revised 7/20/09

**BOARD OF SUPERVISORS
ACTION ITEM**

SUBJECT: RESOLUTION OF INTENT TO AMEND THE REVISED 1993 ZONING ORDINANCE, AND THE FACILITIES STANDARDS MANUAL AS NECESSARY, TO RESTRICT THE PARKING OF VEHICLES AND THE PAVING OF LAWNS IN YARD AREAS

ELECTION DISTRICT: COUNTYWIDE

CRITICAL ACTION DATE: AT THE PLEASURE OF THE BOARD

**STAFF CONTACTS: MARK STULTZ, DEPUTY ZONING ADMINISTRATOR
RORY TOTH, PLANNER**

**DEPARTMENT CONTACTS: DAN SCHARDEIN, ZONING ADMINISTRATOR
TERRANCE WHARTON, DIRECTOR**

RECOMMENDATIONS:

Staff: Staff recommends that the Board of Supervisors adopt a Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance, and the Facilities Standards Manual as necessary, to: 1) Restrict the practice of parking of vehicles on unpaved surfaces in yards; and 2) Limit paved parking areas within yards in Suburban Residential and Planned Development-Housing Zoning Districts.

BACKGROUND:

In some of Loudoun County's communities, especially in areas of the County without active Home Owners Associations, there is a growing concern from homeowners regarding the excessive paving of front yards and the parking of vehicles on unpaved surfaces within front yards. Such practices have resulted in front yards being significantly paved and crowded with numerous vehicles. Some of these vehicles may also be classified as inoperable vehicles, which detracts from the safety and order of the neighborhood and may adversely affect the value of homes within the area.

On June 17, 2008, the Board of Supervisors (BOS) directed Staff to prepare an Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"), and the Facilities Standards Manual (the "FSM") as necessary, to restrict the practice of the parking of vehicles on unpaved surfaces in front yards and to limit paved parking areas within front yards to a percentage of the total front yard area in the Suburban Residential Districts. Such Intent to Amend is attached as Attachment 1. Pursuant to Chairman York's suggestion in the June 17, 2008 BOS Action Item, staff is using the "Off-Street Parking" section of the Fairfax County Zoning Ordinance as a model. A copy of the June 17, 2008 BOS Action Item and the Fairfax County Zoning Ordinance language with suggested revisions per Chairman York are hereby attached as Attachment 2. In addition, staff is also researching other local jurisdictions that have regulations restricting the parking of vehicles

on unpaved surfaces and the paving of front yards to identify other options that the Board may wish to consider.

Because Planned Development-Housing Zoning Districts (PD-H Districts) are administered as Suburban Residential Zoning Districts, staff has included such PD-H Districts in the Intent to Amend. Also, staff notes that, in accordance with the BOS's direction, the Intent to Amend does not address the parking of vehicles within, and the paving of, side and rear yard areas. It is noted that staff has drafted the Intent to Amend in a manner should the Board wish to include side and rear yards in the amendment. Staff has considered this Zoning Ordinance Amendment to be a minor staff effort as a characterization of resource levels needed, and length of time to process. For estimating purposes a minor amendment should be processed in 4-6 months. Issues related to this amendment that are raised by the Planning Commission and through public comment may lengthen or otherwise alter the estimated timeframe.

ISSUES:

Staff does not anticipate any issues with the proposed Intent to Amend.

FISCAL IMPACT:

The only fiscal impact anticipated is the staff time to prepare and enforce the Zoning Ordinance Amendment, which is already included within the Department of Building & Development's budget. It is noted that any fines associated with violations of the proposed Zoning Ordinance regulations are meant to be punitive and encourage compliance, rather than act as a revenue source.

ALTERNATIVES:

1. Do not initiate any amendments to the Zoning Ordinance and the FSM concerning parking and the paving of areas within yards at this time.
2. Adopt a Resolution stating an Intent to Amend the Zoning Ordinance, and the FSM, as necessary to: 1) Prohibit parking on unpaved portions of yards; and 2) Restrict the percentage of yard areas that may be paved.

DRAFT MOTION:

1. I move that the Board of Supervisors adopt the Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance, and Facilities Standards Manual as necessary, as contained in Attachment 1, to implement new regulations to restrict the practice of parking of vehicles on unpaved surfaces in yards and limit paved parking areas within yards to a percentage of the total yard area in Suburban Residential and Planned Development-Housing Zoning Districts, and to incorporate new definitions related to the new regulations as necessary.

OR

2. I move an alternative motion.

ATTACHMENTS:

1. Resolution of Intent to Amend
2. June 17, 2008 BOS Action Item & Fairfax County Zoning Ordinance Off-Street Parking Regulations and Chairman York's Suggested Revisions

STAFF CONTACT: Rory Toth, Planner, Zoning Administration

July 21, 2009

BOARD OF SUPERVISORS OF LOUDOUN COUNTY

RESOLUTION OF INTENT TO AMEND THE REVISED 1993 LOUDOUN COUNTY ZONING ORDINANCE AND THE FACILITIES STANDARDS MANUAL

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Revised 1993 Loudoun County Zoning Ordinance and the Facilities Standards Manual in furtherance of the purposes of zoning as set out in § 15.2-2283 of the Code of Virginia and to further implement the comprehensive plan; and

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Revised 1993 Loudoun County Zoning Ordinance, including specifically Article 5, to add new sections to Section 5-800, Limitations on Vehicles in Residential Districts, and Section 5-1100, Off-Street Parking and Loading Requirements, and Article 8 Definitions, to incorporate new definitions related to the new regulations as necessary, in order to limit the percentage of paved surface area of certain residential yards and the parking of vehicles on unpaved areas of certain residential yards; and

WHEREAS, the Board of Supervisors wishes to initiate amendments to Chapter 4.0, Transportation, of the Loudoun County Facilities Standards Manual, as necessary, in order to limit the percentage of paved surface area within yards and the parking of vehicles on unpaved areas within yards;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors states its intention to amend the Revised 1993 Loudoun County Zoning Ordinance, and the Facilities Standards Manual as necessary, to adopt new provisions on the following matters:

1. Amend Section 5-800 and Section 5-1100 of the Revised 1993 Loudoun County Zoning Ordinance, as necessary, to establish regulations to restrict the practice of parking of vehicles on unpaved surfaces within yards and to limit paved parking areas within yards to a percentage of the total yard area in Suburban Residential and Planned Development-Housing Zoning Districts; and
2. Amend Article 8 of the Revised 1993 Loudoun County Zoning Ordinance to incorporate new definitions related to the new regulations in Section 5-800 and Section 5-1100, as necessary; and
3. Amend Chapter 4 of the Facilities Standards Manual, as necessary, to establish regulations to restrict the practice of parking of vehicles on unpaved surfaces within yards and to limit paved parking areas within yards to a percentage of the total yard area; and
4. Amend such other sections of the Revised 1993 Loudoun County Zoning Ordinance and the Facilities Standards Manual as may be necessary to ensure that these amendments are fully implemented and achieve the full intent of this Resolution; and

BE IT FURTHER RESOLVED that (1) these amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice; (2) Staff is directed to prepare draft amendments for consideration; and (3) the proposed amendments on these matters be brought forward for notice, hearing, Planning Commission recommendation, and Board of Supervisors' action.

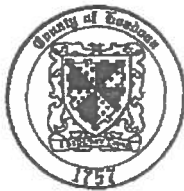
ZOAM-2009-0002

ATTACHMENT 2

A2-4

ATTACHMENT 1

A1-1



Loudoun County, Virginia

www.loudoun.gov

Office of the County Administrator

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Telephone (703) 777-0200 • Fax (703) 777-0325

At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Tuesday, June 17, 2008 at 9:00 a.m.

IN RE: BOARD MEMBER INITIATIVE: AMENDMENT TO THE ZONING
ORDINANCE TO RESTRICT THE PARKING OF VEHICLES ON THE
FRONT YARD OF SINGLE FAMILY DETACHED HOUSING

Mr. York moved that the Board of Supervisors direct staff to prepare an "Intent to Amend" to amend the Loudoun County Zoning Ordinance, and where necessary the Facilities Standards Manual of Loudoun County, to restrict the practice of the parking of vehicles on unpaved surfaces and to limit paved parking areas to a percentage of the total front yard area in the Suburban Residential Districts.

Seconded by Mr. Delgaudio.

Voting on the Motion: Supervisors Burk, Burton, Delgaudio, Kurtz, McGimsey, Miller, Waters and York - Yes; None - No; Vice Chairman Buckley - Absent for the Vote.

A COPY TESTE:



DEPUTY CLERK FOR THE LOUDOUN
COUNTY BOARD OF SUPERVISORS

(10 - Amendment to the Zoning Ordinance to Restrict the Parking of Vehicles on the Front Yard of Single Family Detached Housing)

Item 10

**BOARD OF SUPERVISORS
ACTION ITEM
Board Member Initiated Item**

SUBJECT: Amendment to the Zoning Ordinance to Restrict the Parking of Vehicles on the Front Yard of Single Family Detached Housing

ELECTION DISTRICT: Countywide

CRITICAL ACTION DATE: At the pleasure of the Board

RECOMMENDATIONS: Chairman York recommends this item be approved.

BACKGROUND: In some of Loudoun County's suburban communities, such as Sterling Park where there is no active Home Owners Association (HOA), there are instances where vehicles are being parked on unpaved surfaces in front of single-family detached homes. In other cases much of the front yard has been paved and the yard turned into a parking area with numerous vehicles crowding the former lawn area. In some cases the vehicles are clearly inoperable, some in various phases of repair. This practice is a detriment to the order and surroundings of an affected neighborhood and can affect the value of surrounding homes.

ISSUES: The practice of parking on unpaved surfaces in the front of single-family detached homes is becoming a growing issue of concern in the community of Sterling Park. Sterling Park, which is the oldest planned community in Loudoun County, does not have an HOA to adopt or enforce guidelines to protect or enhance community values. In order for such standards to be implemented and enforced when there is no presence of an HOA then the effected community is left to depend on county ordinances to provide for reasonable protection from undesirable practices and land use that can disturb the quality and value of a community.

If the Board wishes to address the issue of parking on unpaved surfaces and limit the area of front yard paved surfaces, it may initiate amendments to the Loudoun County Zoning. Currently, there are no provisions for the regulation of the practice of parking on unpaved surfaces and the paving of a major portion of the front yard of single family detached homes in the Suburban Residential Districts.

To address this issue, it is being proposed that the Board direct staff to prepare “Intent to Amend” the Loudoun County Zoning Ordinance, and FSM if needed, to restrict the use of front yards as parking areas. It is suggested that staff use the “OFF-STREET PARKING” section of the Fairfax County Zoning Ordinance as a model. A copy of the Fairfax County ordinance is included as Attachment 1.”

DRAFT MOTION(S):

“I move that the Loudoun County Board of Supervisors direct staff to prepare an “Intent to Amend” to amend the Loudoun County Zoning Ordinance, and where necessary the Facilities Standards Manual of Loudoun County, to restrict the practice of the parking of vehicles on unpaved surfaces and to limit paved parking areas to a percentage of the total front yard area in the Suburban Residential Districts.”

ATTACHMENTS:

Attachment 1: PART 1 11-100 “OFF-STREET PARKING,” Fairfax County Zoning Ordinance, Paragraph 8

Attachment 2: Redline version of proposed language

Attachment 3: Proposed new Zoning Ordinance language

Attachment 4: Photos

STAFF CONTACT: Keith Nusbaum, Assistant to the Chairman

Fairfax County Front Yard Vehicular Restriction

Except as may be qualified elsewhere in this Ordinance, off- street parking spaces that are located on the ground and are open to the sky may be located in any required yard but not closer than ten (10) feet to any front lot line, unless modified by the Board or BZA pursuant to Part 2 of Article 13; except that this ten (10) foot *minimum distance shall not be required* between parking spaces provided for single family attached dwellings in parking bays and the front lot lines of single family detached dwelling unit lots and shall not apply to parking spaces provided for and on the same lot with single family detached or attached dwellings, provided such space shall not encroach into any sidewalk or trail. For single family detached dwellings on lots containing 36,000 square feet or less in the R-1, R-2, R-3 and R-4 Districts, all parking for vehicles or trailers in a front yard shall be on a surfaced area, provided, however, that this shall not be deemed to preclude temporary parking on an unsurfaced area in a front yard for a period not to exceed forty-eight (48) hours for loading, unloading, cleaning or repair of vehicles or trailers. In addition, in the R-1 and R-2 Districts, no more than twenty-five (25) percent of any front yard and in the R-3 and R-4 Districts, no more than thirty (30) percent of any front yard shall be surfaced area for a driveway or vehicle/trailer parking area; provided, however, that these limitations may be exceeded for a surfaced area that is:

- A. Directly contiguous with, and providing primary access to, two (2) side-by-side parking spaces as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide;
- B. On a lot which has its primary access from a major thoroughfare and consists of two (2) side-by-side parking spaces and a vehicular turn-around area as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide and the turn-around area does not exceed 150 square feet; or
- C. Provided as an accessibility improvement as approved by the Zoning Administrator. Surfaced area shall include asphalt, poured or precast concrete, brick, stone, gravel, or any other similar pervious surface. On a pipestem lot, the surfaced area within the pipestem driveway shall not be included in this limitation.

Except as may be qualified elsewhere in this Ordinance, parking structures and carports shall be subject to the minimum yard requirements applicable in the zoning district in which located; except parking structures that are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.

Attachment 1

Residential Front Yard Vehicular Restriction

Redline Version of Proposed Changes

~~Except as may be qualified elsewhere in this Ordinance, off-street parking spaces that are located on the ground and are open to the sky may be located in any required yard but not closer than ten (10) feet to any front lot line, unless modified by the Board or BZA pursuant to Part 2 of Article 13; except that this ten (10) foot minimum distance shall not be required between parking spaces provided for single family attached dwellings in parking bays and the front lot lines of single family detached dwelling unit lots and shall not apply to parking spaces provided for and on the same lot with single family detached or attached dwellings, provided such space shall not encroach into any sidewalk or trail. For single family detached dwellings on lots containing 36,000 square feet or less in the R-1, R-2, R-3 and R-4 Districts, all parking for vehicles or trailers in a front yard shall be on a surfaced area, provided, however, that this shall not be deemed to preclude temporary parking on an unsurfaced area in a front yard for a period not to exceed forty-eight (48) hours for loading, unloading, cleaning or repair of vehicles or trailers. In addition, in the R-1 and R-2 Districts, no more than twenty-five (25) percent of any front yard and in the R-3 and R-4 Districts, no more than thirty (30) percent of any front yard shall be surfaced area for a driveway or vehicle/trailer parking area; provided, however, that these limitations may be exceeded for a surfaced area that is:~~

- A. Directly contiguous with, and providing primary access to, two (2) side-by-side parking spaces as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide;
- B. On a lot which has its primary access from a major thoroughfare and consists of two (2) side-by-side parking spaces and a vehicular turn-around area as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide and the turn-around area does not exceed 150 square feet; or
- C. Provided as an accessibility improvement as approved by the Zoning Administrator. ~~Surfaced area shall include asphalt, poured or precast concrete, brick, stone, gravel, or any other similar pervious surface.~~
- D. On a pipestem lot, the surfaced area within the pipestem driveway shall not be included in this limitation.

~~Except as may be qualified elsewhere in this Ordinance, parking structures and carports shall be subject to the minimum yard requirements applicable in the zoning district in which located; except parking structures that are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.~~

Attachment 2

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A2-9**

A2-5

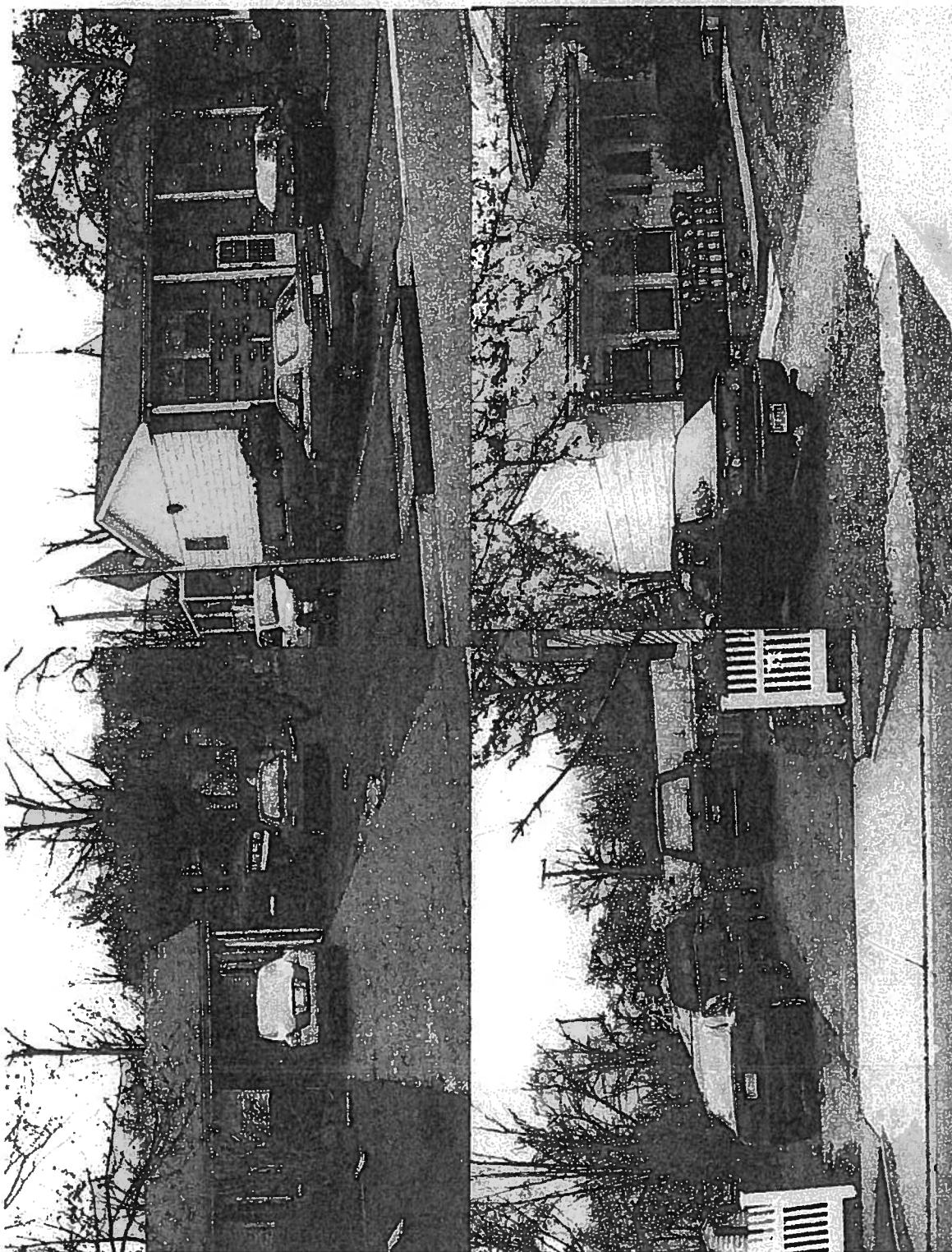
Residential Front Yard Vehicular Restriction

(Proposed new Zoning Ordinance Language)

For single family detached dwellings on lots containing 36,000 square feet or less in the R-1, R-2, R-3 and R-4 Districts, all parking for vehicles in a front yard shall be on a surfaced area, provided, however, that this shall not be deemed to preclude temporary parking on an unsurfaced area in a front yard for a period not to exceed forty-eight (48) hours for loading, unloading, cleaning or repair of vehicles. In addition, in the R-1 and R-2 Districts, no more than twenty-five (25) percent of any front yard and in the R-3 and R-4 Districts, no more than thirty (30) percent of any front yard shall be surfaced area for a driveway or vehicle parking area; provided, however, that these limitations may be exceeded for a surfaced area that is:

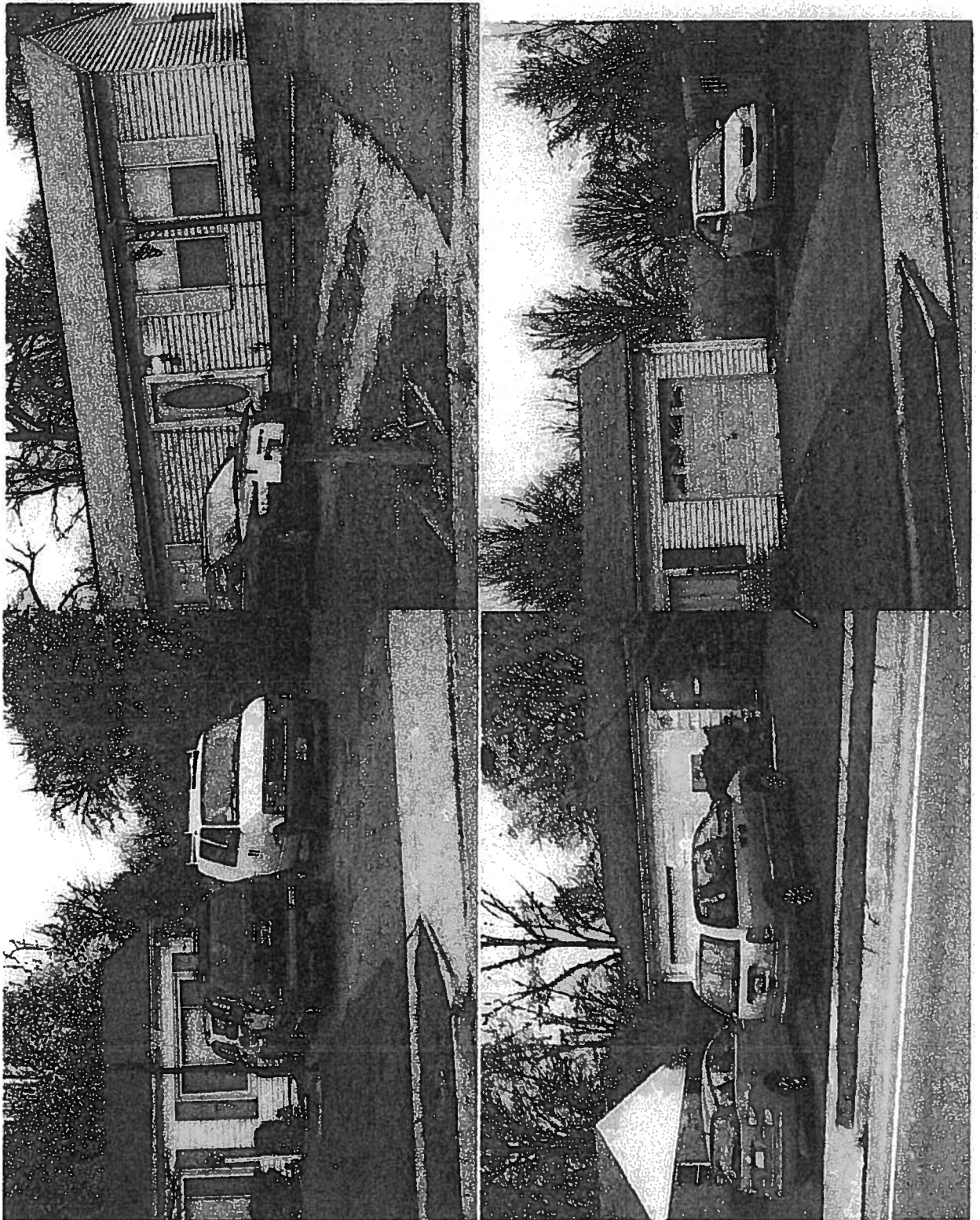
- A. Directly contiguous with, and providing primary access to, two (2) side-by-side parking spaces as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide;
- B. On a lot which has its primary access from a major thoroughfare and consists of two (2) side-by-side parking spaces and a vehicular turn-around area as long as the surfaced area is not more than twenty-five (25) feet long and eighteen (18) feet wide and the turn-around area does not exceed 150 square feet; or
- C. Provided as an accessibility improvement as approved by the Zoning Administrator; or
- D. On a pipestem lot, the surfaced area within the pipestem driveway shall not be included in this limitation.

Attachment 3



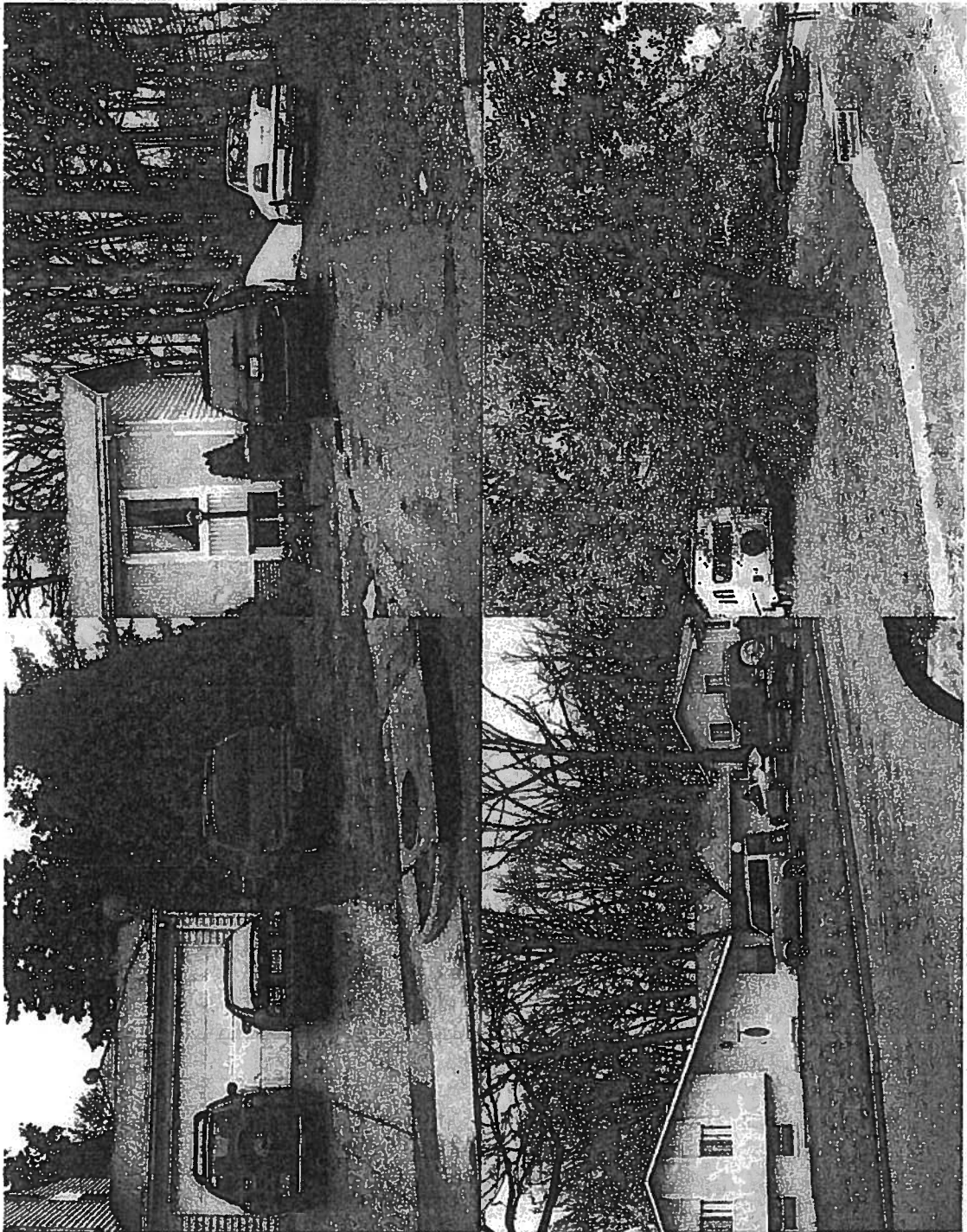
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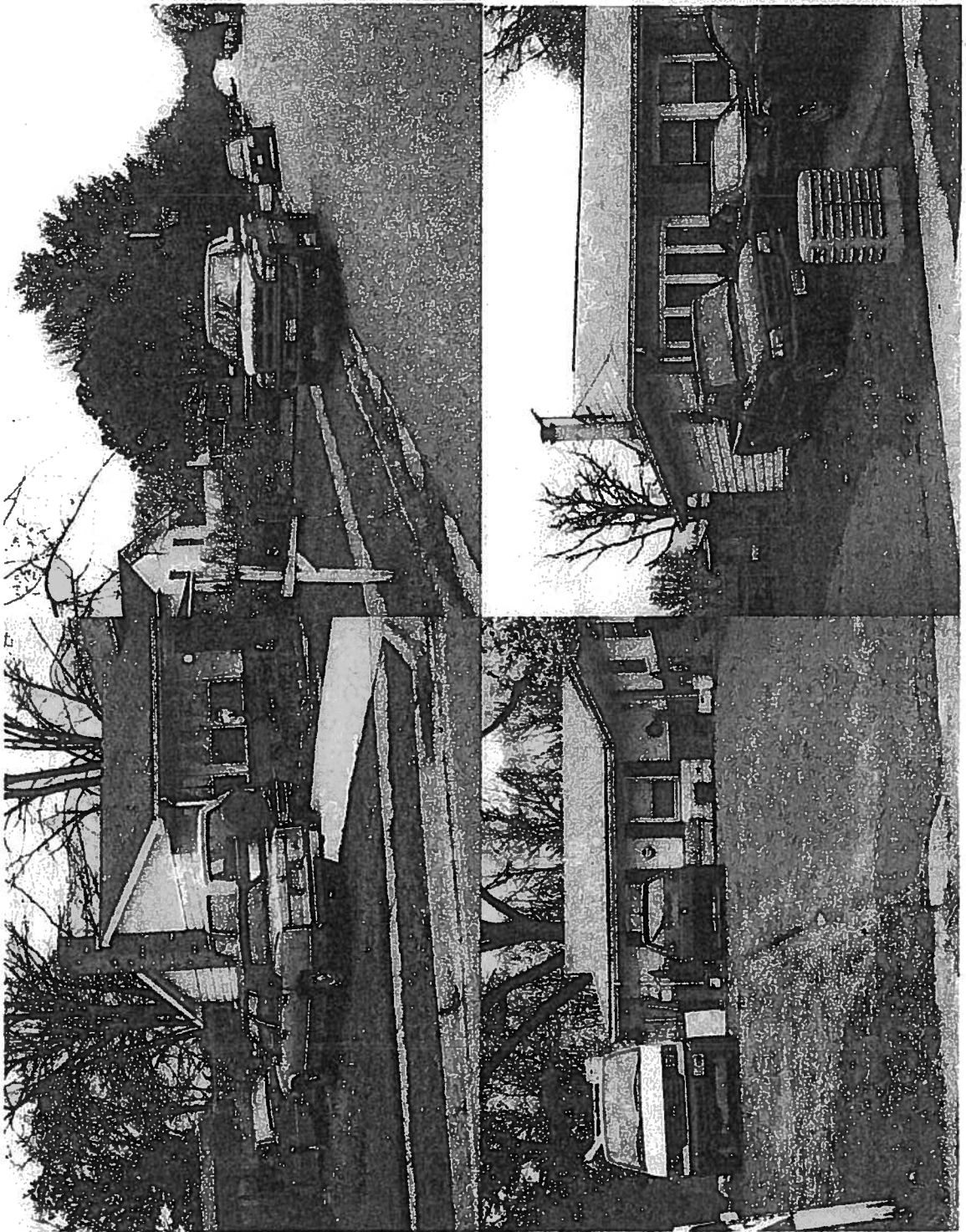
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A2-11

7-1003 Rear yards abutting alleys. Whenever any public or private alley occurs in any zone, one-half of the width of such alley shall be considered in the determination of the rear yard setback ratio requirement of any lot abutting on such alley.

7-1004 Bus shelters. The front yard requirements of this ordinance shall not apply to bus shelters for which a special use permit has been granted.

7-1005 Parking in required yards. Front, side and rear yards shall be deemed to be in compliance with this ordinance provided that not more than 50 percent of such front, side or rear yard is used for parking of automobiles, including driveways whether paved or unpaved.

7-1006 Additional setback required. Wherever the right-of-way widths or building setback lines provided in this section 7-1006 require a greater setback than the front yard or setback requirements found elsewhere in this ordinance, the requirements of these provisions shall govern. It is the intent of the following setback provisions to provide sufficient area for use as sidewalks and highway right-of-way and in order to provide for a consistent building line along certain streets.

(A) The setback line of each side of Mount Vernon Avenue from Braddock Road north to the corporate limits shall be at least ten feet from the front lot line in every case.

(B) The building setback line on both sides of Duke Street from Diagonal Road to Quaker Lane shall be at least 60 feet from the existing centerline of Duke Street, and from Quaker Lane west to the corporate limits, such setback line shall be at least 75 feet from the existing centerline of Duke Street.

(C) The building setback line on King Street (Leesburg Pike) from Braddock Road northwest to the corporate limits shall be at least 75 feet from the existing centerline of King Street (Leesburg Pike).

(D) The building setback line on Seminary Road from Quaker Lane west to the corporate limits shall be at least 60 feet from the existing centerline of Seminary Road.

(E) The building setback line on Beauregard Street from the west corporate limits to the north corporate limits shall be at least 80 feet from the centerline of Beauregard Street.

(F) The building setback line on South Pickett Street shall be at least 50 feet from the centerline of the street.

(G) The term "existing centerline," as used in this section, shall mean the centerline of the public right-of-way as established by maps, plats and plans on file in the office of the director of transportation and environmental services on March 1, 1960, and more particularly in the case of Duke Street from Roberts Lane west to the corporate limits, the term refers to the centerline as shown on road plans denominated Virginia State Highway Department Plan Number 236, Project Number 368-1AR:1; Virginia State Highway Department Plan Number 236; Project Numbers 113-AW-4, 113-AW-3, 113-AW-2; Virginia State Highway Department Plan Number 236, Project Number 113-AW-6.

4-J OFF-STREET PARKING

(9/17/96)
(10/17/00)
(6/15/04)

4-J-1 General Specifications

There shall be provided at the time of erection of any building or at the time any building is altered, enlarged, or increased in size, the required minimum off-street parking spaces as provided in the chart in Section 4-J-10. For the purposes of these regulations, an off-street parking space shall consist of a space at least 9 feet wide and at least 18 feet in length, except as provided for below. Said space or spaces shall be properly related to a street for access purposes, to maneuvering space of sufficient dimensions such that users may find safe and convenient parking movements without resorting to maneuvering on any street or sidewalk. Spaces and access ways shall be so located, arranged, and safeguarded as to provide appropriate separation from streets and walkways. Spaces shall be so arranged that any vehicle may be moved without moving another.

4-J-2 Construction Standards

All off-street parking spaces and access driveways shall be covered with an all-weather surface, shall be graded and drained to dispose of surface water, and shall be constructed and maintained in a manner permitting safe and convenient use. No surface water from any parking area or access driveway shall be permitted to drain onto adjoining property so as to change existing drainage patterns or so as to cause damage to adjoining property from any increased runoff.

4-J-3 Prohibited in Required Yards Adjacent to Streets

Except as otherwise specifically provided herein, no off-street parking areas for four or more automobiles shall be permitted in any required yard adjacent to a street, nor shall any maneuvering areas serving such spaces be so located.

4-J-4 Buffer Required Where Adjoining Property Residential

4-J-4-a Where off-street parking areas for four or more automobiles, or loading or service areas, are to be located closer than 50 feet to a lot in any residential zoning district, or to any lot upon which a dwelling exists as a conforming use under these regulations, without an intervening street, and where such parking, loading or service areas are not entirely screened visually from first floor residential windows at such adjacent locations, there shall be provided on the lot with the parking a continuous visual buffer with a minimum height of 6 feet. The buffer shall be a compact evergreen hedge or other foliage having the same effect, or shall be combined fence or wall with shrubbery screening on the side toward the residential lot.

4-J-4-b No such buffer shall extend to any required yard adjacent to a street, or be so located as to interfere with traffic visibility required for reasons of safety.

4-J-5 Limitations on Use

4-J-5-a No required off-street parking shall be used for the sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies, and no other parking or other area on a lot shall be used for such purposes unless permitted under District Regulations.

4-J-5-b Off-street parking (whether on-site or off-site) shall be allowed only for principal uses,

Sec. 110-454. Prohibited motor vehicle parking in front yards on residential lots.

No motor vehicle, including for the purposes of this section a passenger vehicle, truck, van, motorized recreational vehicle, camper, golf cart, travel trailer, boat trailer, car trailer, or other similar vehicle, but not including motorcycles, shall be routinely parked or stored on unsurfaced areas, such as dirt and grass, in the front yard of residential lots. Notwithstanding the provisions of this section, motor vehicles may be parked temporarily on unsurfaced areas of a front yard on a residential lot, for a period not to exceed 48 hours, to load, unload, clean or repair the vehicle.

(Ord. No. 2000-8, § 26-107.1, 3-28-2000; Ord. No. 2002-14, 7-9-2002)

Sec. 110-455. Required screening for vehicles stored in side and rear yards.

Motor vehicles, trailers, golf carts, boats, or similar vehicles stored on unsurfaced areas in the side and rear yards of residential lots shall be screened from the street and adjacent properties to the extent possible by landscaping or wood fencing.

(Ord. No. 2000-8, § 26-107.2, 3-28-2000; Ord. No. 2002-14, 7-9-2002)

Sec. 110-456. Lot coverage for surfaced driveway, parking and vehicle storage areas.

Surfaced driveway, parking, and vehicle storage areas include asphalt, cement, or any other impervious surface, or gravel or similar driveway, parking and vehicle storage area and shall be as follows:

(1) *Front yard limitations.*

- a. No more than 25 percent of the front yard of any lot improved with a single-family dwelling shall be surfaced driveway, parking or vehicle storage area.
- b. Notwithstanding the provisions of subsection (1)a. of this section, for any lot with a single-family dwelling, a surfaced area directly contiguous with, and providing primary access to, two side-by-side parking spaces, may exceed the 25 percent limitation as long as it is no more than 25 feet long and 18 feet wide.

(2) *Rear yard limitations.*

- a. No more than 25 percent of the rear yard of any lot improved with a single-family dwelling shall be surfaced driveway, parking or vehicle storage area.
- b. Notwithstanding subsection 1 [(2)a.] above, a surfaced area for driveway only (with no vehicle parking or storage permitted) may be located within ten (10) feet of a rear lot line to provide access to garages, vehicle parking and storage areas.

(3) *Side yard limitations.*

- a. A surfaced area for parking or vehicle storage shall be located no closer than five feet to a side lot line, or the required side yard setback, whichever is less.
- b. Notwithstanding subsection 1 [(3)a.] above, a surfaced area for driveway only (with no vehicle parking or storage permitted), may be located within five (5) feet of a side lot line to provide access to rear yard garages, vehicle parking and storage areas.

(Ord. No. 2000-8, § 26-107.3, 3-28-2000; Ord. No. 2002-14, 7-9-2002)

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ARTICLE IV. SUPPLEMENTARY PROVISIONS**Sec. 38-31. Off-street parking requirements.****(a) Intent.**

(1) It is the purpose and intent of this section to provide for the public safety, welfare and convenience, and to stimulate orderly and harmonious growth in all districts by means of regulation of off-street parking; to provide that the streets of the city shall be devoted solely to the purpose of the conveyance of pedestrian and vehicular traffic and shall not be used for the purposes of vehicular parking or storage; and to insure on-site off-street facility locations in such a manner as to encourage the most aesthetic and efficient use of land areas and to provide for the greatest accessibility for those who live, work and trade in the city.

(2) In all districts, except C-D, off-street parking shall be in connection with and accessory to each and every use, and unless prescribed by this chapter, such required off-street parking shall be sited on the same premises as the principal use.

(b) General regulations.

(1) *Applicability.* Municipal parking facilities, private garages or commercial garages and all other parking facilities constructed, used or maintained as a principal or accessory use shall be subject to the restrictions and general regulations of this section, in addition to any special regulations imposed thereon by other provisions of the City Code.

(2) *Single-family residences excepted.* The various provisions of this section, with the exception of the specific use requirements in subsections (a), (b)(3) through (b)(6), (b)(9), (b)(10) and (b)(12)(b) of this section, shall not apply to residential spaces and aisles provided accessory to and on the same property as any single-family residence or town house for the exclusive use of the residents of that property, provided further that such accessory residential parking spaces comply with the following requirements:

a. No more than four (4) vehicles are to be parked on any one property.

b. No more than one (1) vehicle with an open or enclosed bed for hauling service, and designed to carry, handle, transport and/or move goods or perform services in commerce, industry or trade, but not including passenger cars, station wagons, or similar types and sizes of vehicles that are designed to haul passengers, as provided by subsection 38-16(d)(1), shall be parked on any one (1) property, and when so parked such vehicle must be within a fully enclosed private garage.

c. No vehicle parking shall be permitted in any front yard in a single-family detached residence or town house nor shall any vehicle parking space be provided for any single-family detached residence or town house in a front yard except in designated driveway areas.

d. No front yard of any single-family detached residence or town house shall be paved wholly or partially except for a paved driveway not to exceed fourteen (14) feet in width. This subsection shall not be interpreted to prohibit circular driveways or other driveway patterns which are designed to provide access to private garages and/or doorways.

e. Whenever the occupant of a single-family residence is granted a special use permit for a major home occupation, accessory dwelling unit, group home, or

prenatal and infant care counseling center, the number of parking spaces provided shall be as set forth in this section or in section 38-16 unless changed by the conditions set forth in the special use permit.

f. Other than set forth in e. above, whenever a residence, single- or multi-family structure is converted to any nonresidential use or experiences a density increase through the partitioning into additional dwelling units, or whenever a residential use is converted into a transient residential use, the use shall immediately conform to all applicable provisions of this section. Prior to conversion or issuance of a certificate of occupancy, a site plan shall be approved if required by section 38-29.

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1--25	1
26--50	2
51--75	3
76--100	4
101--150	5
151--200	6
201--300	7
301--400	8
401--500	9
501--1,000	2 percent of total spaces
Above 1,000	20 spaces, plus one space for each 100 over 1,000 spaces or fraction thereof

(f) *Computation of required off-street parking spaces.* For the purpose of computing required off-street standing and parking or loading space in relation to floor area, the gross floor area shall be used. When application of the requirements would result in a fractional space, the fraction shall be counted as one space. If there is any uncertainty as to the amount of parking space required as a result of indefiniteness of the proposed use of the building or land, the maximum requirement for the general type of use that is involved shall govern.

(g) *Parking in residential districts.*

(1) Off-street parking areas and off-street loading space appurtenant to any use permitted in residential districts shall be provided on the same parcel of land occupied by the use to which the area or space is appurtenant.

(2) No person shall park any motor vehicle, vehicle, trailer, or semi-trailer on the front, side or rear yard of any lot, improved with a single-family dwelling, zoned for residential use, except on a lawfully paved surface. For corner lots, the front yard for this purpose shall be the lot area bounded by streets, the side lot lines, and the dwelling facades that face the streets. In accordance with section 78-301, the minimum distance between paved surface and the property line shall be two feet.

(3) Except on any lot improved with a single-family attached dwelling, no paved surface used for parking shall exceed 35 percent of the size of the front yard of the lot. See also Table 78-301.2: Table of Dimensional Standards in the Residential Zoning Districts, section 78-401.2(d) specific standards for residential uses, section 78-402 accessory uses and structures, and section 78-402.6(b), restricted in residential zoning districts.

(4) Recreational vehicles owned or rented by occupants of the property may be parked on private property in residential districts in accordance with the following requirements:

a. For single-family detached and duplex dwellings, recreational vehicles shall be parked on a paved surface behind the front setback line of the principal structure and shall not exceed two recreational vehicles per dwelling.

b. For townhouse dwellings, recreational vehicles may be parked in designated parking areas provided that the parking area was designated for recreational vehicles and approved on a site plan. The total number of recreational vehicles parked in the designated parking area at any one time may not exceed one per five dwellings.

c. For multi-family dwellings, recreational vehicles may be parked in designated parking areas provided that the parking area is no closer than 200 feet to any public right-of-way, and the use of the parking area for these purposes was shown on an approved site plan or was otherwise approved by the zoning

administrator, in writing. The total number of recreational vehicles parked in the designated parking area at any one time may not exceed one per five dwellings.

(5) The parking of commercial vehicles in residential districts shall comply with the following standards: Parking of commercial vehicles on private property used for residential purposes in areas zoned for residential use shall conform to the following regulations:

a. Except as provided below in this section, no person shall park any commercial vehicle on private property used for residential purposes in the town in areas zoned for residential use, except in a fully enclosed building with a vehicle door not exceeding nine feet in height over grade.

b. No person shall park any commercial vehicle on private property used for residential purposes in the town in areas zoned for residential use in a fully enclosed (or other) building with a vehicle door exceeding nine feet in height over grade.

c. One resident of each single-family detached or attached, garden court, or two-family dwelling unit in areas zoned for residential use may park per dwelling unit outside a fully enclosed building one vehicle licensed as a taxicab or limousine on such private property or one vehicle described in subparagraph (8) of the definition of commercial vehicle found in section 42-1 of this Code or one pick-up truck that is used for a commercial purpose but without external racks or ladders; and, for lots or parcels 20,000 square feet or more in size, one step van or panel truck with a registered gross weight, or gross vehicle weight rating as defined in Code of Virginia § 46.2-341.4, of 12,000 pounds or more, behind the rear building line of the main building, provided in all such cases other vehicles are permitted to park there.

d. One resident of each multi-family residential unit in areas zoned for residential use may park per dwelling unit outside a fully enclosed building one vehicle licensed as a taxicab or limousine or one vehicle described in subparagraph (8) of the definition of commercial vehicle found in section 42-1 of the Herndon Code or one pick-up truck that is used for a commercial purpose but without external racks or ladders, (i) on such private property, provided other vehicles are permitted to park there; or (ii) in lawfully designated private community parking areas (if any) approved for parking of commercial vehicles in writing by the entity managing the private community parking area. Or, (if no such managing entity exists and for zoning purposes only) the zoning administrator may make such designation using the following standards: mitigation of visual, auditory, and operational effects on residents of the surrounding residential area and prevention of use of residential property for commercial purposes.

e. The provisions of this section shall not apply to a commercial vehicle when picking up or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location.

(h) *Public shared parking.*

(1) The provisions of this section apply to land designated planned development-downtown (PD-D) district and land zoned central commercial district (CCD) in sectors 1 and 2 of the Herndon Downtown, as described in the Herndon 2030 Comprehensive Plan, adopted August 12, 2008, where the development applicant has voluntarily respectively proffered or chosen participation in the public shared parking program. In the absence of such a proffer or choice, the other parking requirements set out in this section apply to the development.

(2) The town council plans for the provision of an adequate number of public shared

designated historic landmarks and within the H-1 Overlay District shall be eligible for a waiver from the pavement requirements of this section. The applicant must request the waiver in a letter attached to the application. To grant a waiver or modification the Zoning Administrator must determine that actual pavement is not necessary in the particular case. The Zoning Administrator Land Development Official shall set forth in writing the reasons for such determination.

- E. Curb and Gutter.** Curb and gutter shall be installed where deemed necessary by the Land Development Official, within off-street parking and loading areas in order to manage storm drainage, channelize traffic, protect buildings and landscaping areas, and separate pedestrian and vehicular circulation areas.
- F. Sidewalks and Pedestrian Facilities.** Sidewalks shall be provided on-site, as necessary to protect pedestrians and promote the safe and efficient movement of pedestrian and vehicular movement. Sidewalks shall have a minimum unobstructed width of five (5) feet. Sidewalks which are constructed to a six-foot width and directly abut the front of a parking or loading space may include two (2) feet of the sidewalk width when determining the length of the parking or loading space. In the case of a block containing a partial sidewalk, the width of the existing sidewalk may be continued for the remainder of the block length so long as ADA requirements are met. New sidewalks within a historic district or serving a historic district will be reviewed to mitigate potential impact on the historic resource or historic streetscape.

In those cases outside of the H-1 Overlay District where the applicant can properly demonstrate that a sidewalk four (4) feet in width that meets ADA minimum requirements can adequately and safely accommodate pedestrian traffic, the Zoning Administrator may modify the five-foot width requirement. Any modification request shall be made in writing to the Zoning Administrator with adequate information testifying to the nature of the existing block or sidewalk and evidence justifying the modification sought. The Zoning Administrator shall set forth in writing the grant of modification with reasons for such determination.

- G. Delineation of Parking and Loading Spaces; Traffic Control Signs.** All parking and loading spaces shall be marked by durable painted lines or curbs extending the length of the space. Signs or pavement marking shall be utilized, as necessary, to ensure safe traffic operation and to identify designated handicapped parking spaces and off-street loading spaces.
- H. Lighting.** Any lighting used to illuminate off-street parking and loading areas shall be arranged, installed and maintained in order to deflect, shade and focus lights away from adjacent public or private properties. Modifications to installed lighting may be required by the Zoning Administrator upon determination that the lighting constitutes a hazard or a nuisance.
- I. Setbacks, Screening and Landscaping.** All parking and loading areas shall comply with the setback, screening and landscaping requirements of Article 12 .
- J. Emergency and Public Vehicle Access.** Parking and loading areas shall be designed so that emergency, public service and refuse collection vehicles can serve the development without the necessity of backing unreasonable distances or making other dangerous or hazardous turning movements.
- K. Front Yard Parking Areas** No front yard paved surface used for parking shall exceed thirty-five percent (35%) of the size of the front yard of the lot. This provision shall not apply to (1) any lot improved with a single-family attached dwelling; or (2) any lot with an

existing lot width of forty-five (45) feet or less; or (3) any lot in the H-1 Old and Historic Overlay District.

11.6.2 Dimensions of Parking Spaces and Aisles

For the purposes of these regulations there shall be two general categories of off-street parking dimensions: standard parking spaces and parking spaces for disabled persons. Parking spaces may be situated at the following angles: 90, 60, 45, 30 and 0 (parallel). Spaces shall be measured based on the minimum rectangular dimensions established herein.

- A. Standard Parking Spaces.** All parking spaces shall be designed as standard parking spaces, except as otherwise expressly allowed or required herein. **Standard parking spaces** shall be a minimum of 9.0 feet in width and 18 feet in length, except for parallel parking spaces which shall be a minimum of 22 feet in length.
- B. Accessible Parking for Physically Handicapped Persons.** A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located and reserved for use by persons with physical disabilities. The number and dimensions of handicapped accessible parking spaces shall be required in accordance with the Federal Americans with Disabilities Act (ADA).
- 1. Number of Spaces.** The minimum number of accessible spaces to be provided shall be a portion of the total number of off-street parking spaces required, as determined from the following schedule. Parking spaces reserved for persons with disabilities shall be counted toward fulfilling off-street parking standards.

Total Parking Spaces Provided	Minimum Number of Accessible Spaces	Minimum Number of Van-Accessible Spaces	Minimum Number of Car-Accessible Spaces
1-25	1	1	0
26-50	2	1	1
51-75	3	1	2
76-100	4	1	3
101-150	5	1	4
151-200	6	1	5
201-300	7	1	6
301-400	8	1	7
401-500	9	2	7
501-1,000	2% of total spaces	1 out of every 8 accessible spaces	7 out of every 8 accessible spaces
Over 1,000	20 + 1 per each 100 spaces over 1,000		

- 2. Minimum Dimensions.** All parking spaces reserved for persons with disabilities shall comply with the parking space dimension standards of this article, provided that access aisles shall be provided immediately abutting such spaces, as follows:

Parking and Passenger Loading Zones for Disabled Persons				
Vehicle Type	Accessible Parking Space	Access Aisle	Total	Additional Criteria

ARTICLE III. AGRICULTURAL AND RESIDENTIAL DISTRICTS**PART 300. GENERAL REGULATIONS****Sec. 32-300.01. General regulations.**

Structures and uses in agricultural and residential districts shall be governed by the following regulations.

Sec. 32-300.02. Accessory uses.

Accessory uses shall be permitted in all agricultural and residential districts, subject to the following limitations:

1. Motor vehicle parking and storage. Vehicles and motor vehicles shall be permitted in the agricultural, residential and residential portions of planned development districts as follows:

(a) Commercial vehicles on lots of three or more acres. Except for the prohibited vehicles listed in subsection (e) below, commercial vehicles may be parked in any agricultural, residential or residential portion of a planned district on lots greater than or equal to three acres in size provided the occupant of the dwelling unit is the operator of the vehicle.

(b) Commercial vehicles on lots of less than three acres. Except for the prohibited vehicles listed in subsection (e) below, not more than one commercial vehicle may be parked in any agricultural, residential, or residential portion of a planned district on lots less than three acres in size provided the occupant of the dwelling unit is the operator of the vehicle.

(c) All permitted commercial vehicles must be kept in a garage, accessory building, or in designated parking spaces within off-street parking areas which meet or exceed standards and regulations of this chapter and the design and construction standards manual.

(d) Location and area of vehicle parking and storage on lots less than one acre. All vehicles that are permitted to be parked or stored on residential properties of one acre or less shall be parked or stored only on areas that are improved in accordance with section 600 of the design and construction standards manual. Such parking or storage areas and similarly improved driveways shall not occupy more than 35 percent of or 720 square feet of the minimum required front yard, whichever is greater.

(1) In the case of pipestem lots, areas that are contained within the ingress and egress easement shall not be included when calculating the coverage of the front yard by parking areas and driveways.

(2) This maximum coverage requirement may be varied as a part of the consideration of a modified dwelling unit type requested pursuant to subsection 32-306.12.2. or 32-306.12.5.

(e) Prohibited vehicles regardless of weight. Except as permitted by section 13-

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ATTACHMENT 3

Prince William County

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327 of the County Code and subsections (g) and (h) below, the following types of vehicles shall not be parked or stored in any residential district or residential portion of a planned district, or on lots of less than ten acres in agricultural districts:

- (1) Cement trucks.
- (2) Construction equipment.
- (3) Dump trucks.
- (4) Garbage, refuse or recycling trucks.
- (5) Passenger buses (excluding school buses).
- (6) Tractors or trailers of a tractor-trailer truck.
- (7) Tow trucks.

(f) Prohibited vehicles. Except as permitted by section 13-327 of the County Code and subsections (g) and (h) below, the following vehicles registered with the Virginia Department of Motor Vehicles or any other state or government agency as having a gross vehicle weight of 10,100 pounds or more, shall not be parked or stored in any residential district or residential portion of a planned district, or on lots of less than ten acres in agricultural districts:

- (1) Box trucks.
- (2) Flat bed trucks.
- (3) Stake bed trucks.
- (4) Step vans.
- (5) Trailers.

(g) Construction equipment. Construction equipment and construction-related vehicles shall not be parked or stored in any agricultural, residential, or residential portion of a planned district except during the tenure of construction, and only when being used for construction purposes on the lot where parked or stored. Valid building and/or site development permits and continuous pursuit of completion of the permitted construction or development shall be required to demonstrate the existence of bona fide construction activity.

(h) Agricultural uses and service to residential properties. The provisions of the foregoing subsections 1(a) through (f) shall not be construed to prohibit the parking in any agricultural district of any vehicle or equipment used in bona fide agricultural operations, nor shall the provisions be construed to prohibit the use of any vehicle for deliveries or pick-ups of goods or intermittent home services in residential or agricultural districts.

2. Motor vehicle repair. Repair or service of motor vehicles in agricultural districts on lots less than ten acres in size or in any residential district or residential portion of a planned development district shall be limited to permitted vehicles titled and registered to the owner and/or occupant or a member of the immediate family of the owner or occupant of the dwelling unit where service or repairs are taking place. For purposes of this subsection, a member of the immediate family is defined as any person who is naturally or legally defined offspring, spouse, sibling, grandchild, grandparent or parent of the owner/occupant.

3. Fences, except those used in connection with a public use, shall be governed by the following standards:

Zoning Ordinance Article 8 Definitions

Yard: Area on a lot which shall be unoccupied by any structure, except as permitted by this Ordinance, from the ground to the sky.

Yard, Front: An open space on the same lot as a principal building between the front line of the principal building and the road, street, or private access easement and extending across the full width of the lot.

Yard, Rear: An open space on the same lot as a principal building between the rear line of the principal building and the road, street, or private access easement and extending across the full width of the lot.

Yard, Required: A yard, as defined above, located along the perimeter of a lot, the dimensions of which are set by the District Regulations of this Ordinance.

Yard, Side: An open space on the same lot as a principal building between the side line of the principal building and the road, street, or private access easement and extending from the front yard line to the rear yard line.

Comparison Chart of Zoning Districts and Front Yard Surfacing Restrictions						
Zoning District	R-1	R-2	R-3	R-4	R-8	PD-H
Minimum Required Lot Area	40,000 SF	20,000 SF	15,000 SF	10,000 SF	6,000 SF	*See note below
Minimum Required Lot Width	175 FT	100 FT	80 FT	80 FT	50 FT	*See note below
Minimum Required Front Yard (MRFY)	35 FT	25 FT	25 FT	25 FT	25 FT	*See note below
Area of MRFY	6,125 SF	2,500 SF	2,000 SF	2,000 SF	1,250 SF	*See note below
Area and % of MRFY covered with 20' wide driveway	700 SF or 11%	500 SF or 20%	500 SF or 25%	500 SF or 25%	500 SF or 40%	*See note below
Area and % of MRFY covered with 20' wide driveway & 162 sq. ft turnaround	862 SF or 14%	662 SF or 26%	662 SF or 33%	662 SF or 33%	662 SF or 53%	*See note below
*PD-H parcels will follow the percentage of whatever R-zoning district it is administered under.						
Recommend a 25% maximum in R-1 and R-2, a 30% max in R-3 and R-4, and a 40 percent max in R-8.						